

ASSEMBLY BILL

No. 2928

Introduced by Assembly Member Laird

February 24, 2006

An act to amend Section 40051 of the Public Resources Code, relating to solid waste.

LEGISLATIVE COUNSEL'S DIGEST

AB 2928, as introduced, Laird. Solid waste: green building construction.

(1) The California Integrated Waste Management Act of 1989 requires the Integrated Waste Management Board and local agencies to promote waste management practices and to maximize the use of all feasible source reduction, recycling, and composting options.

Under existing law, the act requires each city, county, and regional agency, if any, to develop and implement a source reduction and recycling element of an integrated waste management plan containing specified components. The first and each subsequent revision of the element is required to divert 50% of the solid waste subject to the element, on and after January 1, 2000, through source reduction, recycling, and composting activities, except as specified.

This bill would additionally require the board and local agencies to maximize the use of green building construction, thereby imposing a state-mandated local program by imposing new duties upon local agencies.

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 40051 of the Public Resources Code is
2 amended to read:
3 40051. In implementing this division, the board and local
4 agencies shall do both of the following:
5 (a) Promote the following waste management practices in
6 order of priority:
7 (1) Source reduction.
8 (2) Recycling and composting.
9 (3) Environmentally safe transformation and environmentally
10 safe land disposal, at the discretion of the city or county.
11 (b) Maximize the use of all feasible source reduction,
12 ~~recycling~~, *recycling, green building construction*, and
13 composting options in order to reduce the amount of solid waste
14 that must be disposed of by transformation and land disposal. For
15 wastes that cannot feasibly be reduced at their source, recycled,
16 or composted, the local agency may use environmentally safe
17 transformation or environmentally safe land disposal, or both of
18 those practices.
19 SEC. 2. No reimbursement is required by this act pursuant to
20 Section 6 of Article XIII B of the California Constitution because
21 a local agency or school district has the authority to levy service
22 charges, fees, or assessments sufficient to pay for the program or
23 level of service mandated by this act, within the meaning of
24 Section 17556 of the Government Code.